IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 419 OF 2007
IN
NOTICE OF MOTION NO. 3549 OF 2006
IN
SUIT NO. 2952 OF 2006

Parle Agro Private limited ... Appellants

Versus

Cadbury India Limited .. Respondents

Mr. R.M. Kadam, Senior Advocate, instructed by M/s. Mulla & Mulla & Cragie Blunt & Caroe, for the appellants.

S/Shri Janak Dwarkadas & Virag Tulzapurkar, Senior Advocates, with Mr. Vinod Bhagat, Mr. Kiran Mehta and Mr.Atul Mahajan, instructed by Mr. G.S. Hegde and Mr. V.A. Bhagat for the respondent.

CORAM: **SWATANTER KUMAR, C.J.** &
SMT. RANJANA DESAI, J.

DATE: **JULY 16, 2007**.

P.C.

The learned counsel for the parties jointly submit that in the event the Motion is finally disposed of by the learned single Judge, they do not wish to press the present appeal at this stage. In view of the joint submissions made by the learned counsel appearing for the parties, we dispose of the appeal by requesting the learned single Judge to deal with the matter expeditiously. Appeal is accordingly

disposed of. Needless to point out that the observations made in the impugned order are obviously without prejudice to the rights of the parties and have no bearing on the merits of the matter.

CHIEF JUSTICE

SMT. RANJANA DESAI, J.